IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 7006 of 2007(H)

PETITIONER:

SARASWATHY AMMA, W/O.NANAPPAN PILLAI,
AGED 76 YEARS, PUTHIYIDAM, KARUMADY P.O.,
AMBALAPUZHA, ALAPPUZHA DIST.

BY ADV. SRI.K.S.HARIHARAPUTHRAN,
SRI.GEORGE MATHEW.

RESPONDENTS:
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1. **KERALA STATE ELECTRICITY BOARD,**
   REPRESENTED BY ITS SECRETARY, THIRUVANANTHAPURAM.

2. **THE ASSISTANT EXECUTIVE ENGINEER,**
   ELECTRICAL SUB DIVISION, K.S.E.B.,
   AMBALAPUZHA.

3. **THE ADDITIONAL DISTRICT MAGISTRATE,**
   ALAPPUZHA.

4. **VASANTHA, VINU SADANAM,**
   KARUMADY P.O., AMBALAPUZHA.

BY SR. GOVT. PLEADER SMT. M.K. PUSHPALATHA,
ADV. SRI. JOSE J. MATHEICKEL, SC, KSEB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.7006 OF 2007-H

Judgment

The petitioner challenges Ext.P2 order of the Additional District Magistrate, permitting the drawing of an electricity line through the property of the petitioner to give electricity connection to the 4th respondent. According to her, she has suggested an alternative route. The same was not accepted without justifiable reason and that too, without conducting any local inspection, it is submitted.

2. I heard the learned Standing Counsel for the KSEB also. He handed over to me a sketch, which would show that the line is drawn through the northern boundary of the petitioner's property and so, no serious prejudice is caused to the petitioner. Further, the approved route will cross only about 26 metres through the property of the petitioner. If the alternative route suggested by the petitioner is accepted, the line will have to be drawn for about 120 metres and that too, through, a private road, belonging to a third party. So, the said person's permission has to be obtained and the expenses involved for that route will be heavy also. So, the learned Standing Counsel submits, the proposal accepted by the Additional District Magistrate is the most feasible one. Going by the facts of the case, the Additional District Magistrate has granted permission for the most feasible route. Therefore, I find no reason to interfere with the same. But, the Officials of the KSEB shall ensure that the line is drawn, as far as possible,

through the northern boundary of the petitioner's property, so that least convenience is caused to her.

The Writ Petition is disposed of as above.

06.03.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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